



## CITY OF SAN JOSÉ, CALIFORNIA

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### **SAN JOSÉ ELECTIONS COMMISSION**

Thomas Mertens, Chair  
Fred de Funiak, Vice Chair  
Jang Badhesha  
April Lin Walsh  
Norman Kline

### **SAN JOSÉ ELECTIONS COMMISSION MEETING MINUTES January 25, 2007**

#### **I CALL TO ORDER**

The Members of the San José Elections Commission convened at 6:03 p.m. in Room W-242 of City Hall, 200 E. Santa Clara Street, San José, CA 95113.

**PRESENT: COMMISSIONERS** Badhesha, de Funiak, and Mertens

**ABSENT: COMMISSIONERS** None

**STAFF PRESENT:** Consultant Alex Stuart  
Senior Deputy City Attorney Norm Sato  
City Clerk Lee Price  
Deputy City Clerk Michelle Estabillo

#### **II APPROVAL OF MINUTES**

- A. Minutes of October 26, 2006, were approved.
- B. Minutes of November 1, 2006, were approved.
- C. Minutes of November 8, 2006, were approved.
- D. Minutes of November 13, 2006, were approved.
- E. Minutes of November 15, 2006, were approved.
- F. Minutes of November 16, 2006, were approved.
- G. Minutes of January 11, 2007, were deferred.

### III REPORT OF THE CHAIR

Chair Mertens reported that Commissioner Kline had resigned from the Commission. Commissioner de Funiak also stated the Mr. Michael Smith, a previous applicant for the Elections Commission, was still interested in the vacancy. City Clerk Price reported that Commissioner Walsh had resigned from the Commission as well and that the Office had started the recruitment for the two vacancies.

### IV PUBLIC HEARINGS

There were none.

### V DISCUSSION ITEMS

- A. Mayor Reed's Sunshine Reform Referrals for consideration by the City Council on 1/9/07

Documents Filed: (1) Correspondence from Patricia Gardner, Executive Director, Silicon Valley Council of Nonprofits dated January 10, 2007; (2) Correspondence from Bob Brownstein, Research and Policy Director, Working Partnerships, USA dated January 10, 2007; and (3); Memorandum from Mayor Chuck Reed to the Rules & Open Government Committee dated January 17, 2007.

Public Comments: Members of the following individuals spoke in opposition to any changes to the lobbyist ordinance that would capture nonprofits and require that they register with the City as lobbyists:

Patricia Gardner, Director of Silicon Valley Council of Nonprofits  
Bob Brownstein, Director of Working Partnerships USA  
Judy Whittier, Director of Community Services of Wilson Center  
Michele Lew, President/CEO of Asian Americans for Community Involvement  
David Bird  
Jean Cohen, Sacred Heart  
Miguel Valencia, Mental Health Director of Gardner Family Care Foundation  
Vanessa Cooper from Charities Housing  
Rhonda McClinton-Brown, President of Community Health Non-Profit  
Tim Quigley from the Volunteer Center of Silicon Valley  
Reverend Carol Beane, Director of Interfaith Council

Pete Furman, Mayor Reed's Chief of Staff, acknowledged the concerns of the public and indicated that he would relay them to the Mayor.

City Clerk Price clarified the process of Council agenda items and the Commission agreed to postpone further discussion on the reforms until the Rules and Open Government Committee make recommendations.

B. Continued discussion of voter owned campaigns

Document Filed: Correspondence from Ric Bainter, Board of Director's Chair, California Common Cause dated January 16, 2007

Consultant Alex Stuart provided an overview of the draft memo that would be submitted to Council and suggested that the Commission make a recommendation to the Council instead of requesting for direction. Discussion continued on changes to the draft memo and Chair Mertens agreed to make the changes to it.

Public Comment:

Christina Lokke with California Common Cause spoke in favor of having voter-owned campaigns.

Action: The Commission agreed to send the revised memo to the Rules & Open Government Committee on February 14, 2007.

C. Discussion on the structure of the Elections Commission.

Chair Mertens recommended that the Commission look at the structure of other municipal elections commissions before considering any recommendations to the City Council.

Discussion was held on extending the term of Chair Mertens to allow the Commission to complete its work.

Motion: Upon motion by Commissioner de Funiak, seconded by Commissioner Badhesha and unanimously passed, the Commission approved a request be sent to Council to extend of Chair Mertens' term by one year.

## VI MEETING SCHEDULE

A. Discussion of setting a regular meeting date and time.

This item was deferred to a future meeting.

VII PUBLIC COMMENT

None.

IX ADJOURNMENT

The meeting adjourned at 8:01 p.m.

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THOMAS M. (TOM) MERTENS, CHAIR

ATTEST:

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LEE PRICE, MMC  
CITY CLERK and SECRETARY TO THE COMMISSION